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PATENT APPLICATION

ATTORNEY DOCKET NO. **10010316-1**

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Mehmet Sayal et al. **Confirmation No.:** 8853

Application No.: 09/943,223 **Examiner:** Khatri, Anil

Filing Date: August 29, 2001 **Group Art Unit:** 2191

Title: Method and System for Integrating Workflow Management Systems with Business-to-Business Interaction Standards

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TRANSMITTAL OF APPEAL BRIEF

Transmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on June 15, 2007.

The fee for filing this Appeal Brief is (37 CFR 1.17(c)) $500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

☐ 1st Month $120	☐ 2nd Month $450	☐ 3rd Month $1020	☐ 4th Month $1590

☐ The extension fee has already been filed in this application.

☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of $ 500. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mehmet Sayal et al.	§	Group Art Unit: 2191
Serial No.: 09/943,223	§	Examiner: Khatri, Anil
Filed: August 29, 2001	§	
For: METHOD AND SYSTEM FOR INTEGRATING WORKFLOW MANAGEMENT SYSTEMS WITH BUSINESS-TO-BUSINESS INTERACTION STANDARDS	§	Atty. Docket: 10010316-1 NUHP:0387/BLT/POW

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August 2, 2007 — Helen Tinsley
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APPEAL BRIEF PURSUANT TO 37 C.F.R. §§ 41.31 AND 41.37

This Appeal Brief is being filed in furtherance to the Notice of Appeal mailed on June 8, 2007, and received by the Patent Office on June 15, 2007.

1. REAL PARTY IN INTEREST

The real party in interest is Hewlett-Packard Development Company, LP, the Assignee of the above-referenced application by virtue of the Assignment to Hewlett-Packard Development Company, LP, recorded at reel 014061, frame 0492, and dated September 30, 2003. Hewlett-Packard Development Company, LP is a wholly-owned subsidiary of Hewlett-Packard Company. Accordingly, Hewlett-Packard Development Company, LP, will be directly affected by the Board's decision in the pending appeal.

2. RELATED APPEALS AND INTERFERENCES

Appellants are unaware of any other appeals or interferences related to this Appeal. The undersigned is Appellants' legal representative in this Appeal.

3. STATUS OF CLAIMS

Claims 1-18 are currently pending, are currently under final rejection and, thus, are the subject of this Appeal.

4. STATUS OF AMENDMENTS

As the instant claims have not been amended at any time, there are no outstanding amendments to be considered by the Board.

5. SUMMARY OF CLAIMED SUBJECT MATTER

Embodiments of the present invention relate generally to the field of electronic business technology. *See* Application, page 2, lines 5-7. Specifically, present embodiments relate to a system and method for integrating workflow management systems with business-to-business ("B2B") interaction standards (e.g., RosettaNet B2B interaction standards). *See id.* at page 2, lines 5-7; *see also* page 5, lines 13-16. Present embodiments enable automated, template-driven generation of processes and services that can interact according to B2B interaction standards. *See id.* at page 8, line 9 – page 9, line 4.

According to some embodiments, an automatic B2B template generator is provided for supporting workflow design. *See id.* The B2B template generator automatically generates process templates and service templates based either on a description of a B2B interaction standard that is received or a structured representation of the B2B interaction standard. *See id.* When the B2B template generator receives the description of the B2B interaction standard as input, the B2B template generator first converts the description into a structured representation. *See id.* A process template may be automatically generated based on the structured representation. *See id.* The template (e.g., B2B service template or B2B process template) may be utilized by a user to design both quickly and efficiently a complete process (e.g., a workflow with B2B interaction points). *See id.*

The Application contains three independent claims, namely, claims 1, 11, and 17, all of which are the subject of this Appeal. The subject matter of these claims is summarized below.

With regard to the aspect of the invention set forth in independent claim 1, discussions of the recited features of claim 1 can be found at least in the below-cited locations of the specification and drawings. By way of example, an embodiment in accordance with the present invention relates to a method for supporting workflow design (e.g., 240). *See* Application, page 12, lines 7-16; *see also* page 13, line 7 – page 14, line 27; *see also* page 16, lines 6-8; *see also* Fig. 2. The method comprises receiving (e.g., 210) a description (e.g., 214) of a business-to-business interaction standard. *See* Application, page 8, lines 18-25; *see also* page 13, lines 1-16; *see also* page 16, lines 1-8; *see also* page 16, lines 1-12; *see also* Fig. 2. The method also comprises converting (e.g., 220) the description (e.g., 214) of business-to-business interaction standard to a structured representation (e.g., 224) of the business-to-business interaction standard. *See* Application, page 8, lines 21-25; *see also* page 13, lines 17-23; *see also* page 16, lines 1-12; *see also* page 26, lines 8-17; *see also* Fig. 2. Further, the method comprises automatically generating (e.g., 230) at least one process template (e.g., 174, 178, 234) based on the structured representation (e.g., 224) of the business-to-business interaction standard, and using the process template (e.g., 174, 178, 234) to design (e.g., 240) a workflow (e.g., 244). *See* Application, page 8, line 25 – page 9, line 4; *see also* page 13, lines 1-5; *see also* page 13, line 24 – page 14, line 17; *see also* page 15, lines 14-27; *see also* page 16, lines 13-27; *see also* page 19, line 31 – page 20, line 21; *see also* page 26, line 19 – page 27, line 14; *see also* Fig. 1, Fig 2, and Fig. 3.

With regard to the aspect of the invention set forth in independent claim 11, discussions of the recited features of claim 11 can be found at least in the below-cited locations of the specification and drawings. By way of example, an embodiment in accordance with the present invention relates to a method for supporting workflow design (e.g., 240). *See* Application, page 12, lines 7-16; *see also* page 13, line 7 – page 14, line 27; *see also* page 16, lines 6-8; *see also* Fig. 2. The method comprises receiving (e.g., 210) a high-level process definition (e.g., 214). *See* Application, page 8, lines 18-25; *see also* page

13, lines 1-16; *see also* page 16, lines 1-8; *see also* page 16, lines 1-12; *see also* Fig. 2. The method also comprises converting (e.g., 220) the high-level process definition (e.g., 214) into a structured data and flow (e.g., 224). *See* Application, page 8, lines 21-25; *see also* page 13, lines 17-23; *see also* page 15, lines 14-27; *see also* page 16, lines 1-12; *see also* page 26, lines 8-17; *see also* Fig. 2. The method also comprises automatically extracting (e.g., 230) at least one business-to-business (B2B) interaction point (e.g., 238). *See* Application, page 13, lines 24-27; *see also* page 15, lines 14-27; *see also* Fig. 2. Further, the method comprises generating a business-to-business (B2B) service template for the extracted interaction point. *See* Application, page 8, line 15 – page 9, line 4; *see also* page 13, lines 1-5 and lines 24-27; *see also* page 15, line 1 – page 16, line 27; *see also* Fig. 1, Fig. 2, and Fig. 3.

With regard to the aspect of the invention set forth in independent claim 17, discussions of the recited features of claim 17 can be found at least in the below-cited locations of the specification and drawings. By way of example, an embodiment in accordance with the present invention relates to a system (e.g., 100) for supporting the design of workflows (e.g., 240). *See* Application, page 11, line 10 – page 12, line 16; *see also* page 13, line 7 – page 14, line 27; *see also* page 16, lines 6-8; *see also* Fig. 1 and Fig. 2. The method comprises a structured process definition generator (e.g., 110, 150) for receiving a description of a business-to-business interaction standard and responsive thereto for generating a structured business-to-business process definition (e.g., 214). *See* Application, page 12, lines 7-14; *see also* page 17, lines 1-20; *see also* Fig. 1 and Fig. 2. The system also comprises a process template generator (e.g., 170) for automatically generating a business-to-business process template (e.g., 174, 178, 234) based on a structured business-to-business process definition (e.g., 214); *see also* Fig. 1 and Fig. 2. *See* Application, page 12, lines 3-6; *see also* page 13, lines 1-5; *see also* page 15, line 1 – page 16, line 27; *see also* Fig. 1 and Fig. 2. Further, the system (e.g., 100) comprises a process template repository (e.g., 120) for storing the business-to-business process templates (e.g., 174, 178, 234). *See* Application, page 12, lines 3-6; *see also* page 12, lines 15-23; *see also* Fig. 1.

6. **GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

First Ground of Rejection for Review on Appeal:

Appellants respectfully urge the Board to review and reverse the Examiner's first ground of rejection in which the Examiner rejected claims 1-7 and 11-17 under 35 U.S.C. § 103(a) as being obvious over Anderson et al., *Workflow Interoperability – Enabling E-Commerce*, April 1, 1999, www.wfmc.org (hereinafter "Anderson") in view of Work Group 1, *Workflow Management Coalition Interface: Process Definition Interchange Process Model*, Document Number WfMC TC-1016-P, July 15, 1998 (hereinafter "Work Group").

Second Ground of Rejection for Review on Appeal:

Appellants respectfully urge the Board to review and reverse the Examiner's second ground of rejection in which the Examiner rejected claims 8-10 and 18 under 35 U.S.C. § 103(a) as being obvious over Anderson in view of ICL Enterprises, *A Common Object Model Discussion Paper*, Document Number WfMC-TC-1022, January 1998 (hereinafter "ACOMDP").

7. **ARGUMENT**

As discussed in detail below, the Examiner has improperly rejected the pending claims. Further, the Examiner has misapplied long-standing and binding legal precedents and principles in rejecting the claims under 35 U.S.C. § 103. Accordingly, Appellants respectfully request full and favorable consideration by the Board, as Appellants assert that claims 1-18 are currently in condition for allowance.

A. **First Ground of Rejection:**

The Examiner rejected claims 1-7 and 11-17 under 35 U.S.C. § 103(a) as being obvious over Anderson in view of Work Group. Specifically, with regard to the independent claims, the Examiner stated:

> Regarding claim 1
> *Anderson et al. teaches,*
> - receiving a description of a business-to-business interaction standard (page 1, last paragraph, "this definition indicates the most...between organizations);

- converting the description of business-to-business interaction standard to a structured representation of the business-to-business interaction standard (page 2, 2nd paragraph, "business processes...they interoperate);
- automatically generating at least one process template based on the structured representation of the business-to-business interaction standard (page 2, 1st paragraph, "the implementation of value chain...in operation"). *Anderson et al. teaches,* doesn't teach explicitly using the process template to design a workflow. However *Work Group 1,* teaches (figure 2-1, page 7, item 2.1, 2nd paragraph, "it is the process definition...operation of the process"). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to generate template and use in workflow. The modification would have been obvious because one of ordinary skill in the art would have been motivated to combine process description with process template in business-to-business environment along with standard to achieve efficiency and enhancing workflow management.

...

Regarding claims 11 and 12

Anderson et al. teaches,

- receiving a high-level process definition (page 1, last paragraph, "this definition indicates the most...between organizations);
- converting the high-level process definition into a structured data and flow (page 2, 2nd paragraph, "business processes...they interoperate);
- automatically extracting at least one business-to-business (B2B) interaction point (page 2, 1st paragraph, "the implementation of value chain...in operation"). *Anderson et al. teaches*, doesn't teach explicitly generating a business-to-business (B2B) service template for the extracted interaction point. However *Work Group 1*, teaches (figure 2-1, page 7, item 2.1, 2nd paragraph, "it is the process definition...operation of the process"). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to generate template and use in workflow. The modification would have been obvious because one of ordinary skill in the art would have been motivated to combine process description with process template in business-to-business environment along with standard to achieve efficiency and enhancing workflow management.

Regarding claim 17

Anderson et al. teaches,

a structured process definition generator for receiving a description of a business-to-business interaction standard and responsive thereto for generating a structured business-to-business process definition (page 1, 2nd paragraph, "this definition indicates...between organization");

> a process template generator for automatically generating a business-to-business process template based on a structured business-to-business process definition (page 2, 1st paragraph, "the implementation of value chain...in operation"); and *Anderson et al teaches*, doesn't teach explicitly a process template repository for storing the business-to-business process templates. However *Work Group 1*, teaches (figure 2-1, page 7, item 2.1, 2nd paragraph, "it is the process definition...operation of the process"). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to process template repository and use in workflow. The modification would have been obvious because one of ordinary skill in the art would have been motivated to combine process description with process template in business-to-business environment along with standard design work flow in E environment and provide uniformity with work flow.
>
> Office Action mailed October 13, 2006, pages 2-6.

1. **The Examiner has failed to establish a *prima facie* case of obviousness because the cited references fail to disclose each and every feature recited in the independent claims.**

The burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (P.T.O. Bd. App. 1979). To establish *prima facie* obviousness of a claimed invention, *all* the claim limitations must be taught or suggested by the prior art. *In re Royka*, 180 U.S.P.Q. 580 (C.C.P.A. 1974) (emphasis added). Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention absent some teaching or suggestion supporting the combination. *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984). Accordingly, to establish a *prima facie* case, the Examiner must not only show that the combination includes *all* of the claimed elements, but also a convincing line of reason as to why one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 U.S.P.Q. 972 (Bd. Pat. App. & Inter. 1985). When prior art references require a selected combination to render obvious a subsequent invention, there must be some reason for the combination other than the hindsight gained from the invention itself, i.e., something in the prior art as a whole must suggest the desirability, and thus the obviousness, of making the combination. *Uniroyal Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 5 U.S.P.Q.2d 1434 (Fed. Cir. 1988). Moreover, the Examiner must provide *objective evidence*, rather than subjective belief and

unknown authority, of the requisite motivation or suggestion to combine or modify the cited references. *In re Lee*, 61 U.S.P.Q.2d 1430 (Fed. Cir. 2002).

Turning to the claims, independent claim 1 recites, inter alia, "receiving a description of a business-to-business interaction standard ... converting the description ... to a structured representation of the business-to-business interaction standard ... automatically generating at least one process template based on the structured representation ... [and] using the process template to design a workflow." Independent claim 11 recites, inter alia, "receiving a high-level process definition ... converting the high-level process definition into a structured data and flow ... automatically extracting at least one business-to-business (B2B) interaction point ... [and] generating a business-to-business (B2B) service template for the extracted interaction point." Independent claim 17 recites, inter alia, "a structured process definition generator for receiving a description of a business-to-business interaction standard and ... for generating a structured business-to-business process definition ... a process template generator for automatically generating a business-to-business process template ... and a process template repository for storing the business-to-business process templates."

The Appellants assert that the Examiner has failed to establish a *prima facie* case of obviousness because the cited references fail to disclose each and every feature recited in the independent claims. For example, the Examiner submitted that Anderson teaches "receiving a description of a business-to-business interaction standard," as recited in claim 1. *See* Office Action mailed October 13, 2006, pages 2. The Examiner also asserted that Anderson teaches "receiving a high-level process definition," as recited in claim 11. *See id.*, page 5. Further, the Examiner asserted that Anderson teaches "a structured process definition generator for receiving a description of a business-to-business interaction standard." *See id.*, page 6. However, the Appellants assert that the cited portion of Anderson fails to even mention *receiving* a *business-to-business interaction standard* or a *high-level process definition*. To emphasize this deficiency, the cited portion of Anderson is set forth below:

> This definition indicates that most commercial computing falls within the definition of E-Commerce. E-Commerce includes both the digital transformation of recognizable commercial activities and the creation of new business rules and roles for participants in emerging arenas.

> The delivery of business through E-Commerce involves the deployment of business processes for which workflow is an obvious supporting technology. If we look again at the definition above, we can see that it is likely that the delivery of goods and services through E-Commerce will necessarily involve the operation of business processes that run across and between organizations.
>
> Anderson, page 1, last paragraph.

Clearly, Anderson does not teach the business-to-business interaction standard, as recited in claims 1 and 17, much less receiving a description of such a standard or a generator configured for receiving such a standard. Likewise, the Anderson reference does not teach receiving a high-level process definition, as recited in claim 11. Indeed, the Appellants emphasize that merely stating that E-commerce will involve business processes that run across and between organizations is *not* equivalent to "*receiving* a *description* of a *business-to-business interaction standard*," "*receiving* a *high-level process definition*" or "a structured process generator *for receiving* a description of a *business-to-business interaction standard*," as recited in claims 1, 11 and 17, respectively. (Emphasis added).

In the Final Office Action mailed March 12, 2007, the Examiner stated the following:

> [M]ost commercial computing falls within the definition of E-Commerce. E-Commerce includes both the digital transformation of recognizable commercial activities and the creation of new business rules and roles for participants in emerging arenas. The delivery of business through E-Commerce involves the deployment of business processes for which workflow is an obvious supporting technology). Therefore, examiner interprets there has been set standard between two or more organization and reference presents business to business interaction and standard is followed in order to do transactions as also depicted in figure 1, page 3. Thus limitations are met by reference.
>
> Final Office Action mailed March 12, 2007, page 3.

The position held by the Examiner in the Final Office Action mailed March 12, 2007 suggests that the Examiner relied on a theory of inherency. Thus, the extrinsic evidence must make clear that the missing descriptive matter is necessarily present in the thing described in

the reference, and that it would be so recognized by persons of ordinary skill. *In re Robertson*, 169 F.3d 743, 49 U.S.P.Q.2d 1949 (Fed. Cir. 1999) (emphasis added). The mere fact that a certain thing may result from a given set of circumstances is not sufficient. *Id.* In relying upon the theory of inherency, the Examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art. *Ex parte Levy*, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990) (emphasis in original). The Examiner, in presenting the inherency argument, bears the evidentiary burden and must adequately satisfy this burden. *See id.*

The Appellants assert that Anderson does not inherently disclose "*receiving* a *description* of a *business-to-business interaction standard*," "*receiving* a *high-level process definition*" or "a structured process generator *for receiving* a description of a *business-to-business interaction standard*," as recited in claims 1, 11 and 17, respectively. (Emphasis added). Indeed, merely participating in "E-Commerce" does not necessarily require the recited features of claims 1, 11 and 17. For example, while Anderson does not appear to provide an explicit teaching regarding a business-to-business interaction standard or a high-level process definition, the Examiner suggested that in accordance with Anderson there may be a "set standard between two or more organization." *See* Final Office Action mailed March 12, 2007, page 3. Accordingly, based on the Examiner's own interpretation of Anderson, it appears that it would be unnecessary to "receive" a business-to-business interaction standard or high-level process definition. Indeed, the Examiner's interpretation of Anderson seems to suggest that receipt of any type of standard would be unnecessary because a hypothetical standard could already have been agreed upon and established at each of the organizations individually. Similarly, there would be not reason for Anderson to include a generator for "receiving" a description of a business-to-business interaction standard.

Additionally, Anderson fails to disclose "*converting* the description of business-to-business interaction standard to a *structured representation* of the business-to-business interaction standard," "*converting* the high-level process definition into a *structured data and flow*," or "a structured process definition generator ... *for generating a structured business-to-business process definition*," as recited in claims 1, 11 and 17, respectively. (Emphasis

added). To emphasize this deficiency, the portion of Anderson cited by the Examiner as teaching these features is set forth fully below:

> Business processes that operate within, across or between organizations in order to implement value chains that can be used to deliver E-Commerce transactions may be implemented using a set of workflow definitions that have been created to support discrete segments of the overall process. This scenario poses the question of how to avoid creating islands of automation in the operation of an end to end business process. The answer to this problem is workflow interoperability – the enabling of different workflow products to "*talk to each other*" by exchanging messages that effect process interoperation and integration to drive and manage the operation of the value chain. Workflow interoperability enables the owner of the value chain to have greater visibility and control over its performance and participants within the value chain benefit from flexibility, and improved control and visibility over the performance of the processes they operate and the processes with which they interoperate.
>
> Anderson, page 2, second paragraph (emphasis in original).

Appellants emphasize that interoperability (or enabling workflow products to "talk to each other") is not equivalent to *converting* the description of a business-to-business interaction standard to a *structured representation* of the business-to-business interaction standard and certainly not equivalent to a *generator* for generating a structured business-to-business process definition. Similarly, interoperability is not equivalent to *converting* a high-level process definition into a *structured data and flow*. Indeed, according to Appellants' best understanding, Anderson merely teaches facilitating communication between workflow products. In regard to this argument by Appellants, the Examiner stated that Anderson "teaches description of B2B interaction standard is represented in a structured form where business will interact with each other and recognize the same standard on both end otherwise they are unable to operate in B2B environment as also depicted with order fulfillment process in figure 2." Final Office Action mailed March 12, 2007, page 3. The Appellants respectfully assert that the Examiner's argument is erroneous on its face, as it seems to state that Anderson must meet the limitations of the Appellants' claims merely because Anderson relates to businesses transacting business. Moreover, the Examiner has failed to make a *prima facie* case that Anderson discloses every element recited in the claims. Thus, the

Appellants again submit to the Board that the Anderson reference simply fails to disclose the above-referenced features of claims 1, 11 and 17.

Additionally, Anderson and Work Group, whether considered separately or in hypothetical combination, fail to disclose "automatically generating at least one *process template* based on the structured representation of the business-to-business interaction standard," "generating a business-to-business (B2B) *service template* for the extracted interaction point," or "a process template generator for automatically generating a business-to-business *process template* based on a structured business-to-business process definition," as recited in claims 1, 11 and 17, respectively. Indeed, Appellants find no disclosure whatsoever of a *process template* or a *service template* in the cited portions of Anderson and Work Group. To emphasize this deficiency, the portion of Anderson and the portion of Work Group cited by the Examiner as teaching these features of claims 1, 11 and 17 are set forth fully below:

> The implementation of value chains that run across and between organizations is not, in itself, a new idea. Electronic Document Interchange (EDI) has provided a reliable messaging regime to support inter-trading between consenting organizations for some time. Inter-trading is effected through the exchange of messages containing standard business objects (documents such as invoices, purchase orders or electronic funds) which are treated as input to the receiving organization's IT systems. EDI regimes are well suited to support of secure, high volume, transactional inter-trading applications. Experience has however, shown them to be expensive to set up and somewhat inflexible once in operation.
>
> Anderson, page 2, first paragraph.
>
> It is the process definition which is interpreted by the workflow engine, acting as a template for the creation and control of instances of that process during process enactment. The process definition may contain references to sub-processes, separately defined, which make up part of the overall process definition. A loose distinction is sometimes drawn between production workflow, in which most of the procedural rules (i.e. elements of the process definition) are defined in advance, and ad-hoc workflow, in which the procedural rules may be created or modified during the operation of the process.
>
> Work Group, page 7, second paragraph.

Appellants stress that sending business objects (e.g., invoices, purchase orders or electronic funds) from one business to another is not equivalent to *generating* a *process template* based on the structured representation of a business-to-business interaction standard or *generating* a *service template* based on an extracted interaction point. Further, utilizing a definition as a template for creation and control of instances is not equivalent to *generating* a *process template* based on the structured representation of a business-to-business interaction standard or *generating* a *service template* based on an extracted interaction point. Additionally, exchanging business objects and/or utilizing a definition as a template for creation and control of instances are clearly not equivalent to *generating* templates, much less generating a *process* or *service template*.

In response to the Appellants' position regarding the recited templates, the Examiner made the following statement:

> [E]xaminer interprets that cited reference presents generation of template for at least one process in B2B environment and it is obvious to a person of ordinary skill in the art at the time the invention was made to combine Anderson's teaching with work group 1 to generate template for work flow process model and standardized it for transactions.
>
> Final Office Action mailed March 12, 2007, page 4.

Appellants assert that the Examiner's argument, as set forth above, is merely conclusory. That is, the Examiner has provided no support for the interpretation set forth above. Indeed, throughout the prosecution of the present application, the Examiner has not pointed to anything in the prior art resembling generation of a template, much less a process or service template, based on a structured representation of a business-to-business interaction standard or based on an extracted business-to-business interaction point.

Turning specifically to independent claim 1, in the Office Action mailed October 13, 2006, the Examiner admitted that Anderson is deficient with respect to the recitation in claim 1 of "using the process template to design a work flow" and attempted to remedy the deficiency by citing to Work Group. *See* Office Action mailed October 13, 2006, page 3.

However, Appellants assert that Work Group fails to remedy the deficiencies of Anderson with respect to this feature and with respect to all of the other features discussed above. Indeed, to emphasize the deficiencies of Work Group, the portion of Work Group cited by the Examiner is set forth fully below:

> It is the process definition which is interpreted by the workflow engine, acting as a template for the creation and control of instances of that process during process enactment. The process definition may contain references to sub-processes, separately defined, which make up part of the overall process definition. A loose distinction is sometimes drawn between production workflow, in which most of the procedural rules (i.e. elements of the process definition) are defined in advance, and ad-hoc workflow, in which the procedural rules may be created or modified during the operation of the process.
>
> Work Group, page 7, second paragraph.

Primarily, Appellants emphasize that a mere description of a process definition and a template used for creation and control of instances is insufficient to remedy the deficiencies in Anderson discussed above. Further, Appellants can discern no reason why one of ordinary skill in the art would be motivated to combine Anderson and Work Group as suggested by the Examiner. Specifically, it is unclear why one of ordinary skill in the art would combine sending business objects (e.g., invoices), as described by Anderson, with a process definition, as described by Work Group.

Also, in the Office Action mailed October 13, 2006, the Examiner admitted that Anderson is deficient with respect to the recitation in claim 17 of "a process template repository for storing the business-to-business process templates" and attempted to remedy the deficiency by citing to Work Group. *See* Office Action mailed October 13, 2006, page 6. However, Appellants assert that Work Group fails to remedy the deficiencies of Anderson with respect to this feature and with respect to all of the other features discussed above. Indeed, to emphasize the deficiencies of Work Group, the portion of Work Group cited by the Examiner is set forth fully below:

> It is the process definition which is interpreted by the workflow engine, acting as a template for the creation and control of instances of that process during process enactment.

> The process definition may contain references to sub-processes, separately defined, which make up part of the overall process definition. A loose distinction is sometimes drawn between production workflow, in which most of the procedural rules (i.e. elements of the process definition) are defined in advance, and ad-hoc workflow, in which the procedural rules may be created or modified during the operation of the process.
>
> Work Group, page 7, second paragraph.

Appellants stress that a mere description of a process definition and a template used for creation and control of instances is insufficient to remedy the deficiencies in Anderson discussed above. Indeed, the cited reference contains no discernable reference to a process template repository for storing the business-to-business process templates, as recited in claim 17. Further, Appellants can discern no reason why one of ordinary skill in the art would be motivated to combine Anderson and Work Group as suggested by the Examiner. Specifically, it is unclear why one of ordinary skill in the art would combine sending business objects (e.g., invoices), as described by Anderson, with a process definition, as described by Work Group.

For the reasons set fort above, the Appellants respectfully request that the Board overrule the Examiner's rejections under 35 U.S.C. § 103 of independent claims 1, 11 and 17 and the claims respectively depending therefrom.

B. **Second Ground of Rejection:**

The Examiner rejected claims 8-10 and 18 under 35 U.S.C. § 103(a) as being obvious over Anderson in view of ACOMDP. Specifically, the Examiner stated:

> Regarding claims 8 and 18
> *Anderson et al. teaches,*
> Workflow process and storing the process templates into a process template repository template in B2B environment and wherein the process templates are accessible to a workflow designer (page 2, 1st paragraph, "the implementation...in operation, 2nd paragraph, 'business process that...they interoperate"). *Anderson et al* does not teach explicitly storing the service templates into a service template repository and wherein the service templates are accessible to a workflow

> designer. However, ACOMDP teaches, pages 14-15, see diagram on page 15, 1st paragraph, "various detailed component methods can be...above model"). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate process repository and service repository. The modification would have been obvious because one of ordinary skill in the art would have been motivated to combine different kind of repositories in the process and services for faster and distributed workflow.
> Regarding claim 9
> ACOMPD *teaches,*
> Retrieving a process template from the process template repository and adding at least one local service to the process template (see page 13, see diagram, item 5.2, 1st paragraph, additionally the WAPI interface...in the meta model").
> Regarding claim 10
> ACOMPD *teaches,*
> Designing a process that includes a plurality of local services (page 13, see diagram, last paragraph, certain important characteristics...") and
> Adding at least one interaction point service to the process (see page 14, see diagram, 1st paragraph, "sequential work item..." see item 5.3, "the additional component level...workflow manager functions").
>
> Office Action mailed March 12, 2007, pages 7-8.

Regarding the rejection of claims 8-10 and 18, the Appellants assert that the Examiner has failed to establish a *prima facie* case of obviousness because the cited references fail to disclose each and every feature recited in dependent claims 1 and 17. As discussed in detail above, the Anderson reference is deficient with respect to independent claims 1 and 17 from which claims 8-10 and 18 depend, respectively. Based on the Appellants' best understanding of the Examiner's arguments, Appellants assert that the Examiner's citation to ACOMPD does not remedy the deficiencies set forth above. Indeed, it appears that ACOMPD merely teaches a repository for storing "process definition data." Appellants assert that such a repository does not remedy the deficiencies of Anderson. Further, the Examiner has not provided sufficient motivation to combine Anderson and ACOMPD.

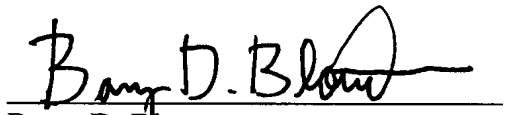
In view of their dependence from allowable base claims and in view of the deficiencies in the references cited by the Examiner, as set forth above, Appellants request that the Board overturn the Examiner's rejection of dependent claims 8-10 and 18 under 35 U.S.C. § 103.

Conclusion

Appellants respectfully submit that all pending claims are in condition for allowance. However, if the Examiner or Board wishes to resolve any other issues by way of a telephone conference, the Examiner or Board is kindly invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

Date: August 2, 2007



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8. APPENDIX OF CLAIMS ON APPEAL

Listing of Claims:

1. A method for supporting workflow design comprising the steps of:

   a) receiving a description of a business-to-business interaction standard;

   b) converting the description of business-to-business interaction standard to a structured representation of the business-to-business interaction standard;

   c) automatically generating at least one process template based on the structured representation of the business-to-business interaction standard; and

   d) using the process template to design a workflow.

2. The method of claim 1 wherein the description of an electronic business-to-business interaction standard includes a description of one of RosettaNet, CBL, EDI, OSI, and cXML.

3. The method of claim 1 wherein converting the description of the electronic business-to-business interaction standard to a structured representation of the business-to-business interaction standard includes

for each state, defining all income transitions and all outgoing transitions; and

for each transition, defining a source state and a target state.

4. The method of claim 1 wherein converting the description of the electronic business-to-business interaction standard to a structured representation of the business-to-business interaction standard further includes

representing data in a structured form by employing a mark-up language.

5. The method of claim 1 wherein the structured process definition includes structured data and structured data flow.

6. The method of claim 1 wherein the structured process definition includes an XMI that includes at least one XML document.

7. The method of claim 1 wherein automatically converting the structured data and flow into at least one process template includes

automatically converting the structured data and flow into at least one process template that is specific to a particular workflow management system.

8. The method of claim 1 further comprising the steps of:

storing the process templates into a process template repository; wherein the process templates are accessible to a workflow designer; and

storing the service templates into a service template repository; wherein the service templates are accessible to a workflow designer.

9. The method of claim 1 wherein using the process template to design a workflow includes

retrieving a process template from the process template repository; and

adding at least one local service to the process template.

10. The method of claim 1 wherein using the process template to design a workflow includes

designing a process that includes a plurality of local services; and

adding at least one interaction point service to the process.

11. A method for supporting workflow design comprising the steps of:

a) receiving a high-level process definition;

b) converting the high-level process definition into a structured data and flow;

c) automatically extracting at least one business-to-business (B2B) interaction point; and

d) generating a business-to-business (B2B) service template for the extracted interaction point.

12. The method of claim 11 further comprising:

automatically extracting a plurality of business-to-business (B2B) interaction points; and

generating a business-to-business (B2B) service template for each extracted interaction point.

13. The method of claim 11 wherein the business-to-business (B2B) service template confirms to a business-to-business interaction standard that includes one of RosettaNet, CBL, EDI, OBI, and cXML.

14. The method of claim 11 wherein converting the high-level process definition into a structured data and flow includes

for each state, defining all incoming transitions and all outgoing transitions; and

for each transition, defining a source state and a target state.

15. The method of claim 11 wherein converting the high-level process definition into a structured data and flow includes

representing data in a structured form by employing a mark-up language.

16. The method of claim 11 wherein the structured process definition includes an XMI that includes at least one SML document.

17. A system for supporting the design of workflows comprising:

a structured process definition generator for receiving a description of a business-to-business interaction standard and responsive thereto for generating a structured business-to-business process definition;

a process template generator for automatically generating a business-to-business process template based on a structured business-to-business process definition; and

a process template repository for storing the business-to-business process templates.

18. The system of claim 17 further comprising:

a service template repository for storing business-to-business service templates.

9. APPENDIX OF EVIDENCE

None.

10. APPENDIX OF RELATED PROCEEDINGS

None.